

**HUMBOLDT COUNTY
PESTICIDE USE ENFORCEMENT PROGRAM**

Work Plan for 2010-2013

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**Humboldt County Enforcement Work Plan
2010/12**

County Resources

- Newly assigned Agricultural Inspector I will devote a minimum of 50% of time to PUE program
- Commissioner and Agricultural Inspector II will assist with PUE program workload as needed

A. Restricted Materials Permitting

Permit Evaluation

- 23 Restricted Materials Permits issued in 2009
- The majority of permits are issued for phenoxy herbicides; a very limited number of permits are issued for methyl bromide, chloropicrin, carbamate and organophosphate insecticides
- Permits are primarily issued by 1 newly assigned inspector and the Commissioner who reviews/issues permits as needed
- Permit issuance takes approximately 1 hour
- Department requires in person interviews for new permit requests. Interviews allow inspectors to evaluate potential site specific hazards associated with proposed restricted materials applications
 - RMP applicants are required to review and sign permit conditions and notifications page
 - RMP applicants are required to provide site-specific maps for all application site ID's on the permit. Applicants are required to identify on site-specific maps, sensitive sites in the surrounding environment including: homes or occupied structures, wells and bodies of water
- Agricultural Inspector I administers qualified applicator certificate exams
- Department confirms applicant possesses required licensing prior to issuing permit if applicant intends to make applications themselves
- Permits are valid for 1 year, expiring on December 31 of the year in which the permit was issued
- Permit sites are generally identified by a numeric code, which is a combination of the permit number and each site numbered sequentially (ex: 1-1, 1-2, 1-3)
- Pesticide use reporting requirements are reviewed with the applicant at the time of their interview. Applicants are given instructions on properly completing use reports
- Notices of Intent (NOI's) are accepted by fax or phone. NOI's received after hours or on weekends are reviewed the next business day. Most NOI's are reviewed by PUE staff as soon as possible after receipt
- Department requires 24 hour NOI's
- Department normally receives approximately 75 NOI's per year. In 2009, 41 NOI's were received
- NOI's are transcribed into a log, which is maintained in the front office

Strengths

- Commissioner and responsible staff are committed to PUE program meeting all relevant DPR recommendations
- PUE program management has been assigned to a new inspector
- Department staff and responsible inspector provide important knowledge of areas of potential concern when reviewing permits and or proposed restricted materials application sites
- The majority of restricted materials applications occur in areas where few sensitive sites exist. The relatively low number of applications in these sensitive areas makes it possible to conduct a high percentage of pre-site and compliance monitoring inspections

Weaknesses

- New PUE program manager lacks training and experience in PUE
- No other staff persons besides the Commissioner have experience in operating a PUE program
- Department has only 3 inspectors responsible for implementing all of the agricultural programs (including pesticide use enforcement) in the County
- Lack of comprehensive sensitive site map or GIS map program capabilities for evaluating NOI's

Areas Needing Improvement

- The program will continue to target applications where the potential greater risk to the public or surrounding environment exists due to restricted materials applications
- Department's program needs to increase level of inspections to more accurately appraise level of compliance
- Department needs to continue training additional staff members to enforce pesticide regulations
- County program needs to develop outreach programs for the regulated community that will increase overall program effectiveness. Department still lacks a permit program that incorporates GIS technologies that will increase the effectiveness and accuracy of NOI review as well as provide the public with more accurate information about the specific locations of pesticide applications

Plan for Improvement

- The Department has an inspection strategy that identifies and targets types of applications that pose a greater risk to the public and the environment. The County's program will focus its efforts on these greater risk types of applications. Included in this inspection approach are field fumigations, applications of phenoxy herbicides and structural applications
- Department will use all resources currently available to thoroughly review RM permit applications to ensure that any potential sensitive-site hazards are mitigated prior to granting RM permits

- The County's program will conduct pre-site inspections of 7.5% of NOI's submitted. The program will also conduct pre-site inspections of all proposed applications of field or structural fumigants
- The County, with the assistance of DPR's EBL, will continue training additional staff to conduct PUE inspections
- The County's PUE program will be improved with the state-wide implementation of the new pesticide permit program currently under development and scheduled to begin use in 2011

Measuring Success

- Program will be successful if it continues to focus inspection activities on application types that pose the greatest potential risk to the public or the environment including golf courses, cemeteries, and field or structural fumigant applications
- Program will be successful if it increases number of pre-site inspections to 7.5 % of NOI's submitted
- Program will be successful if it can begin training additional inspectors to enforce pesticide regulations

B. Compliance Monitoring

Strengths

- County's program will benefit by assignment of the PUE program to the new PUE program manager spending 50% of available time in the program
- Department's plan to change the focus of its inspection activities will give a better overall picture of the level of compliance with pesticide regulations by all types of applicators. Compliance monitoring activities will focus on golf courses, cemeteries and structural applications as well as continued monitoring of RMP applications in forest settings
- Department will utilize EBL for training and consultation on the most important strategies employed in an effective compliance monitoring program.
- Violations identified by compliance monitoring inspections requiring follow-up will be conducted (within 60 days) in a timely manner

Weaknesses

- Newly assigned PUE program manager lacks significant field experience in the PUE pesticide program
- Department lacks additional personnel trained to perform PUE inspection activities
- County lacks any education or outreach programs for industry

Areas Needing Improvement

- Responsible county inspector needs PUE training and experience

- County program needs to continue its inspection strategy of inspecting types of pesticide applications that pose a greater potential for risk to the public and the environment. The result of directed inspections activities will be a more accurate picture of the level of compliance with pesticide regulations and will inform decisions made on the future emphasis of the enforcement program
- County program needs to conduct follow-up inspections in a more-timely manner
- County program needs to create a tracking system for inspections and follow-ups of non-compliances
- County needs to create an education or outreach program for industry that will provide pesticide safety training and communicate policy changes affecting the regulated community

Plan for Improvement

- The department will work with DPR's EBL to continue training newly hired PUE inspector. Program will continue to focus its compliance monitoring inspections on golf courses, cemeteries and structural applications.
- County program will create an inspection report binder as a tool to track inspection results and non-compliance follow-ups

Measuring Success

- The plan for improving the compliance-monitoring program will be judged to successful if inspection of golf courses, cemeteries and structural applications are increased. Increased inspections of these application types will likely result in non-compliances initially, then compliance as a result of enforcement/compliance action and outreach efforts
- County's program will become more successful when it develops and implements an education and outreach program for the regulated community

C. Enforcement Response

Strengths

- Following Enforcement Response Regulations will continue with the assignment of program responsibilities to the new PUE manager
- Commissioner is committed to the County PUE program following DPR guidelines for the Enforcement Response Regulations
- The County's inspection strategy will provide opportunities to locally implement the Enforcement Response Regulations

Weaknesses

- Newly assigned PUE program manager lacks significant experience in the PUE program

Areas Needing improvement

- The programs compliance monitoring strategy will provide a more accurate picture of compliance with pesticide regulations upon which enforcement response is based. County program will continue to follow Enforcement Response Regulation requirements when evaluating non-compliances

Plan for Improvement

- County program will fully implement Enforcement Response Regulation requirements when evaluating non-compliances
- Decision reports will be reviewed and following Enforcement Response Regulations guidelines submitted to DPR (30 days following non-compliance)
- Commissioner and new PUE program manager is committed to the PUE program following all Enforcement Response Regulation guidelines when reviewing non-compliances

Measuring Success

- County program will be successful if after implementing Enforcement Response Regulation guidelines and after repeated compliance monitoring inspections it is found that the overall level of compliance with pesticide regulations in Humboldt County has increased
- County outreach/education program will be successful if important changes to pesticide regulations are communicated in a timely manner and compliance levels are maintained regardless of regulatory changes

D. Summary

Humboldt County's PUE program has improved as a result of new leadership and a commitment to implementing of DPR's enforcement guidelines. Recent changes in departmental personnel including the Commissioner and PUE program manager are anticipated to result in continued improvement in the effectiveness of the PUE program.